

Used for simple headaches, neuralgia"; (metal container) Designs of figures in bathing suits followed by statements, "Miss Perfect Form" and "Mr. Feel Bully." The charge recommended by this Department was that the statements and designs on the labels, regarding the curative and therapeutic effects of the article, were false and fraudulent.

On June 19, 1934, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

22647. Misbranding of aspirin tablets. U. S. v. 126 Bottles of Tru Tablets of Aspirin. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 32753. Sample no. 69879-A.)

This case involved a shipment of aspirin tablets, the labeling of which bore unwarranted curative and therapeutic claims.

On May 25, 1934, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 126 bottles of aspirin tablets at Scranton, Pa., alleging that the article had been shipped in interstate commerce by the Tru Lax Manufacturing Co., from Newark, N. J., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Tru Tablets of Aspirin Tru Lax Manufacturing Co. Newark, N. J."

It was alleged in the libel that the article was misbranded in that the following statements regarding its curative or therapeutic effect, appearing on the display carton and individual bottle label, were false and fraudulent: "For * * * Acute Rheumatism * * * Pains of Nervous origin, also for the relief of Gout, Sciatica, Tonsillitis, Influenza."

On June 30, 1934, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

22648. Misbranding of Epsaline Tablets. U. S. v. 208 Bottles of Epsaline Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 32509. Sample no. 67907-A.)

This case involved a product labeled to convey the impression that its therapeutic action was derived chiefly from Epsom salt, but which derived its principal laxative effect from the laxative drugs, aloin and phenolphthalein.

On April 6, 1934, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 208 bottles of Epsaline Tablets at Syracuse, N. Y., alleging that the article had been shipped in interstate commerce, on or about February 20, 1934, by the Gold Seal Products Co., from Columbus, Ohio, and charging misbranding in violation of the Food and Drugs Act.

Analysis of a sample of the article by this Department showed that it contained in each tablet: Aloin, phenolphthalein (2/5 grain), and Epsom salt (7½ grains).

It was alleged in the libel that the article was misbranded in that the following statements on the carton and bottle label, were false and misleading in view of the actual composition of the article: "Epsaline Tablets Epsom Salt Tablets Compound", "Two tablets as effective as a tablespoonful of Epsom Salt"; "To be used in place of the ordinary disagreeable Epsom Salts"; (carton only) "The nasty bitter taste is eliminated."

On June 15, 1934, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

22649. Adulteration and misbranding of Katropine Antiseptic Nasal Jelly. U. S. v. 141 Packages and 105 Packages of Katropine Antiseptic Nasal Jelly. Default decree of condemnation, forfeiture, and destruction. (F. & D. nos. 32549, 32550. Sample nos. 67460-A, 67542-A.)

Examination of the drug product involved in this case showed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling. The label also bore unwarranted claims for germicidal characteristics.

On April 17, 1934, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 246 packages of Katropine Antiseptic Nasal Jelly at New York, N. Y., alleging that the article had been shipped in interstate commerce, on or about January 31 and February 24, 1934, by the Phoenix Drug Co., from Newark, N. J., and charging adulteration and misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article by this Department showed that it consisted essentially of benzocaine (3 percent) and essential oils including menthol and camphor, incorporated in fat.

It was alleged in the libel that the article was adulterated in that its strength fell below the professed standard or quality under which it was sold, namely, (circular) "Exerting * * * powerful * * * germicidal characteristics."

Misbranding was alleged for the reason that the following statements regarding the curative or therapeutic effects of the article, appearing in the labeling, were false and fraudulent: (Carton) "Recommended for * * * Hay Fever Catarrh"; (tube) "Hay Fever Catarrh"; (circular) "An article of outstanding merit and effectiveness as an aid in the treatment of * * * Hay Fever and Sinus troubles. * * * It attacks the offending organisms and it promotes the healing of the inflamed membranes. The head colds of children are particularly insidious and if left untreated may extend to the most grievous results. Infection of the middle ear, swollen glands, with the necessary operation and permanently disfiguring scars may originate with the simple head cold. Sinus infections are caused almost exclusively by malignant infections of the surrounding membranes so as to prevent proper drainage. The head cold, then is the contributing cause of too many serious diseases to be taken lightly. Katropine offers as nearly perfect protection as has yet been devised. * * * A very small amount squeezed into each nostril and drawn up by a deep breath will in most cases afford immediate and welcome relief. Hay Fever Sinus Infections."

On May 10, 1934, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

22650. Adulteration and misbranding of witch hazel. U. S. v. 64 Bottles, et al., of Witch Hazel. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 32467. Sample nos. 67097-A, 67099-A, 67503-A, 67504-A, 67512-A, 67513-A.)

Examination of the four lots of extract of witch hazel covered by this case showed them to be in violation of the law in various respects, as follows: One lot fell below the standard established by the National Formulary, since it contained acetone, a substance not permitted by the formulary; it was of a higher specific gravity, and contained less alcohol than the formulary product, it was labeled "U. S. P.", whereas the United States Pharmacopoeia does not describe extract of witch hazel and the label bore an incorrect declaration of alcohol. A second lot fell below the formulary requirements, since it contained less alcohol, and was of a higher specific gravity than the formulary product; this lot also bore an incorrect declaration of alcohol. Examination of the third lot showed that the bottles contained less than 16 ounces, the volume declared on the label. The labels of all four lots contained unwarranted curative and therapeutic claims.

On April 2, 1934, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 308 bottles of witch hazel at Hoboken, N. J., alleging that the article had been shipped in interstate commerce, in various shipments, 1 lot on or about September 26, 1933, 2 lots on or about February 28, 1934, and the remaining lot during the 6 months next preceding March 8, 1934, by the General Merchandise & Sales Co., from New York, N. Y., and charging adulteration and misbranding of portions of the article, and misbranding of the remainder, in violation of the Food and Drugs Act as amended. The article was labeled, variously: "Witch Hazel * * * Gotham Pharmaceutical Company, New York City"; "Triple Distilled Witch Hazel * * * Eastern Chemical Co., New York N. Y."; "Witch Hazel U. S. P. Double Distilled * * * Rector Pharmacal Co., Inc., New York."

Analyses of samples of the article by this Department showed: (Lot 1) the product complied with the requirements of the National Formulary; (lot 2)